

words, the bill makes it illegal to punish a doctor for following good medical judgment and sound medical treatment.

Another important provision of this bill ensures that mastectomy patients will have access to reconstructive surgery. Scores of women have been denied reconstructive surgery following mastectomies because insurers have deemed the procedure to be cosmetic and, therefore, not medically necessary.

Mr. President, far too often breast cancer victims, who believe that they have adequate health care coverage, are horrified when they learn that reconstruction is not covered in their health plan.

In Alaska, of the 324 mastectomies and lumpectomies performed in 1996, reconstruction only occurred on 11 of the patients. That means that only 3.4% of women who have their breast removed have reconstructive surgery, compared to the national average of 23%.

Mr. President, the simple reason for this tragically low figure is simple: women can't afford the procedure.

Breast reconstruction costs average about \$5,000 for just the procedure. If hospital, physician and other costs are included—the costs escalate to around \$15,000.

Dr. Sarah Troxel, of Providence hospital, the only doctor in the Mat-Su Valley who does breast reconstruction, states the importance of reconstruction:

Women who are unable to receive reconstructive surgery, suffer from depression, a sense of loss, and need more cancer survivor counseling . . . Additionally reconstructive surgery can be preventative medicine—women who don't have reconstructive surgery often develop other medical problems or complications with their spine.

Mr. President, these issues are not partisan issues. We may have our differences regarding managing and financing health reform, but I think we all endorse accessible and affordable health care that preserves patient choice and physician discretion. Cancer does not look to see the politics of its victims.

It is my hope that we will adopt this legislation this year. •

50TH ANNIVERSARY OF THE U.S. AIR FORCE RESERVE

• Mr. LEVIN. Mr. President, I rise today to honor the United States Air Force Reserve on its 50th Anniversary, which will be celebrated across the country on April 14, 1998. The United States Air Force Reserve can trace its heritage back to the National Defense Act of 1916 which authorized a reserve corps of 2,300 officer and enlisted aviators. In 1917, the War Department established the First Reserve Aero Squadron. However, the Air Reserve was not formally established until after World War II.

On July 26, 1947, the National Security Act was signed into law by Presi-

dent Truman. This act established the United States Air Force as a separate branch of our Nation's armed forces. On April 14, 1948, just seven months later, the U.S. Air Force Reserve was established. On April 27, 1948, the Air Reserve was transferred to the Air Force. In October 1948, President Truman directed the services to revamp their reserve components. As a result, the Air Force established the position of Special Assistant to the Chief of Staff for Reserve Forces to oversee the Air Reserve. The first person to fill this position was Lt. Gen. Elwood R. Quesada. On December 1, 1948, the Air Force established the Continental Air Command (CONAC) at Mitchell Air Force Base, New York. The CONAC's mission was to administer all Air Reserve programs. After the establishment of the CONAC, the Air Reserve's mission became more coherent and diversified.

Since its humble beginnings during World War I, the Air Force Reserve has seen many dramatic changes as it has built itself into the world-class force it is today. Over the past fifty years the men and women of the Air Force Reserve have served with honor and distinction during the 1961 Berlin Crisis and the 1962 Cuban Missile Crisis, and in the major conflicts of Korea, Vietnam and in the Persian Gulf. Major General Robert A. McIntosh, the Commander of the Air Force Reserve Command, recently summarized the remarkable accomplishments of the Air Force Reserve. He said, "In five decades, we moved from a standby force, training on obsolete and war-weary airplanes, to a front-line force that is more capable than the air forces of many nations. We are a role model for keeping unique capabilities in a military framework without spending the money that a large full-time military requires."

As the Air Force Reserve celebrates its Golden Anniversary this month, we recognize that the Air Force Reserve truly does have a golden legacy. It is a legacy that we should all take time to reflect upon and honor. Regardless of any future threat our Nation may face, the Air Force Reserve will meet the challenge just as they always have. Air Force Reservists deserve the respect and gratitude of all Americans for their service and their sacrifice for our country. These volunteers exemplify daily their dedication to the ideals that make our country great.

In Michigan, the 927th Air Refueling Wing at Selfridge Air National Guard Base will celebrate the Air Reserve's 50th Anniversary. The 927th ARW flies KC-135E Stratotankers to fulfill its mission of providing Global Reach for United States air power. The 927th has a rich history of service which includes missions in Vietnam, the Persian Gulf and Bosnia. We in Michigan are very proud of the job the 927th is doing for our nation.

I know my Senate colleagues join me in celebrating the 50th Anniversary of the United States Air Force Reserve. •

NATIONAL BREAST CANCER SURVIVORS' DAY

• Mrs. HUTCHISON. Mr. President, I rise today to highlight to the Senate and to the American people the importance of this day—National Breast Cancer Survivors' Day—a day commemorating breast cancer awareness and the celebration of life.

Breast cancer is the most common cancer among women of all ages. There is scarcely an American family that in some way has not been touched by this disease. In fact, it is estimated that over 180,000 women and men are diagnosed with breast cancer and over 43,000 die from the disease each year. Women have a 12 percent lifetime risk for developing breast cancer, and one in 25 women will develop the disease by age 60. While these statistics are grim, today we pause to focus our attention on the hundreds of thousands of success stories—individuals who have survived and even prospered despite breast cancer.

I salute every brave woman and man who has battled and beaten this disease. Only someone who has had cancer can really know what it is like—the fear, the doubt, and the often painful and debilitating treatments and medical procedures. But beat it they have. And to those who are still in the fight, I say: "Hang in there. You can do it, and the chances are ever greater that you will do it."

When detected early and when confined to the breast, the five-year survival rate for this disease is over 95 percent. Mr. President, this is a remarkable statistic, and represents a dramatically improved picture than that of even a few years ago. It is also important to note that, for the first time in years, the mortality rate for both Caucasian and African-American women is also declining. With continued advancements in early detection and treatment procedures, and with the growing hope that a cure might be found in a matter of years, not decades, women today certainly do have cause to celebrate.

But our work is far from done. I and many of my Senate and House colleagues are doing all we can to ensure that adequate federal resources are being allocated to research, education, and treatment of breast cancer. Through research grants and direct research conducted at the National Institutes of Health, promising leads and even occasional breakthroughs are being pursued with vigor by the best and brightest of the medical and scientific worlds. We can of course do more, and I am joining many of my colleagues on the Appropriations Committee in supporting a significant increase in the fiscal year 1999 budget for the NIH so that this important work can move forward. Put simply, we will not rest until a cure is found.

But until a cure is found, let me say to every woman in America that you are your own best ally in the fight against breast cancer. Self-exams and

regular breast cancer screenings for high risk women and women over 40 is absolutely crucial. I was pleased that last year the National Institutes of Health joined me and others in recognizing the importance of annual screening of women over 40, and the availability and affordability of mammography and other promising detection techniques continues to increase.

So today, I join my colleagues and all Americans in celebrating those who have won the battle against breast cancer. We salute and celebrate their courage, optimism, and often selfless commitment to help those newly diagnosed to overcome the challenges that lay ahead. Mr. President, these individuals are not just survivors, they are beacons of inspiration and hope for all of us. With the heart and spirit of these survivors leading our way, I know that we will eventually win and conquer this disease. That will be the best Survivors' Day of all.

VIOLENT AND REPEAT JUVENILE OFFENDER ACT OF 1997

• Mr. LEAHY. Mr. President, the recent shootings outside a school in Jonesboro, Arkansas, that left four young students and a teacher dead and scores of others wounded in both body and mind are shocking. Just over the last few months, we have seen deadly shootings carried out by juveniles in rural communities in Kentucky, in Mississippi and now in Arkansas. Clearly, juvenile crime is not just an urban problem. These shootings leave scars on the loved ones of those killed and injured and on the communities involved that take a long time to heal.

We may never fully comprehend how such crimes against children could be executed by other children. But one thing should be clear: The issue of juvenile crime should not be used for cheap grandstanding or short-sighted political gain. We need to find constructive approaches to this problem that builds upon past successes and respects the proper roles of State, local and Federal authorities.

In the last session, and again at the beginning of this session, I have spoken about the need to address the nation's juvenile crime problem on a bipartisan basis. Politicizing the juvenile crime problem does a disservice to the citizens in this country who want constructive responses.

I have spoken about the need to address the flaws in the juvenile crime bill, S. 10, which the Judiciary Committee voted on last summer. In floor statements and in the extensive minority views included in the Committee report, I have outlined those areas in which this bill needs significant improvement.

In short, the bill reported by the Committee to the Senate would mandate massive changes in the juvenile justice systems in each of our States, and it would invite an influx of juvenile cases in Federal courts around the

country. The repercussions of this legislation would be severe for any State seeking federal juvenile justice assistance. The bill also removes core protections that have been in place for 25 years to keep juvenile offenders out of adult jails and away from the harmful influences of seasoned adult criminals.

The need for significant improvements to this bill is no secret. Virtually every editorial board to consider the bill has reached the same conclusion. Just in recent days, the Philadelphia Inquirer concluded that the bill "is fatally flawed and should be rejected." On Monday, March 23, the Los Angeles Times described the bill as "peppered with ridiculous poses and penalties" and taking a "rigid, counterproductive approach." The Chattanooga Times, on March 14, labeled the bill "misguided" with "flaws so far-reaching that the bill requires substantial surgery." The Houston Chronicle, on March 10, observed that this bill "at the very least, needs serious rethinking." The Legal Times, on March 2, called S. 10 "the crime bill no one likes." The St. Petersburg Times, on February 23, described the bill as "an amalgam of bad and dangerous ideas." A February 10 opinion piece in the Baltimore Sun described S. 10 as a "radical" and "aberrant bill."

The criticisms leveled at S. 10 are, unfortunately, well-deserved. Consequently, eight months after this bill was voted out of Committee, the Committee held a belated hearing on some of the new controversial mandates in the bill. At that hearing, on March 9, Senator SESSIONS announced a number of changes that he planned to make to the new juvenile record-keeping and fingerprinting mandates in the bill. I had recommended a number of these changes during Judiciary Committee mark-up of the bill, and I am pleased that, finally, my cautions are being heeded.

I will be glad to see removed the requirement of photographing every juvenile upon arrest for an act that would have been a felony if committed by an adult, and the new fingerprinting and record-keeping mandates limited to felony acts that occur in the future.

I continue to oppose the imposition of these new requirements as mandates. These mandates will cost States more to implement than they can hope to receive in federal assistance. Those who believe that \$250 million over 5 years, or \$50 million per year, will be sufficient to pay for the record-keeping mandates in S. 10 have not studied the comprehensive report recently released by the National Center for Juvenile Justice and that the bill, as currently drafted, would cost the states far more than that, especially through its new fingerprinting and record-keeping mandates.

Many of the States are way ahead of the federal government in finding innovative ways to address juvenile crime and need resource assistance, and not bullying, from Washington. They need

help to do what they decide is the right balance.

While it is a better practice to hold hearings and examine issues before legislation is voted on and reported out of committee, I look forward to working with Senators HATCH and SESSIONS to improve this package, now that the bill has been reported but finds itself off the main track and stalled on a siding. I again urge the sponsors of this legislation not to politicize the important issue of juvenile crime but to work in an open, fair and bipartisan way to make S. 10 a better bill that will truly do what we all say we want it to do: Reduce youth crime.●

ASYLUM

• Mr. DEWINE. Mr. President, I rise today to express my concerns about the implementation of the immigration laws that Congress passed in 1996, since we are fast approaching an important deadline. Today is the deadline for those immigrants who have lived in the United States for one year who wish to apply for political asylum.

The concerns I raised and shared during the debate on the 1996 Immigration bill are even more relevant today. People who have the most credible asylum claims—those under threat of retaliation, those suffering physical or mental disability, possibly as a result of torture they endured in their home country—may find themselves barred from ever applying for asylum if they miss this deadline.

To protect those who flee persecution and abuse and seek refuge in the United States, the INS should, at the very least, promulgate a final rule that includes the broad "good cause" exceptions from the Senate-passed version of the 1996 immigration law. Senators KENNEDY, FEINGOLD, and I sent a letter on February 12, 1998 to INS urging that the final rule include the Senate's more expansive definition of "good cause" exceptions for missing that deadline.

The INS should not issue regulations that might exclude the very applicants that the concept of asylum was meant to include. For this reason, our letter urges INS to promulgate a final rule that adopts the Senate's entire definition of "good cause" for missing the one-year filing deadline:

"Good cause" may include, but is not limited to, [1] circumstances that changed after the applicant entered the United States and that are relevant to the applicant's eligibility for asylum; [2] physical or mental disabilities; [3] threats of retribution against the applicant's relatives abroad; [4] attempts to file affirmatively that were unsuccessful because of technical defects; [5] efforts to seek asylum that were delayed by the temporary unavailability of professional assistance; [6] the illness or death of the applicant's legal representative; or [7] other extenuating circumstances as determined by the Attorney General. [Section 193 of Senate bill; *numbers added for reference].

Mr. President, the very least our country should offer these victims of